

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DMO NORWOOD LLC d/b/a Dan O'Brien Kia
Norwood,

Plaintiff/Counterclaim
Defendant,

v.

KIA AMERICA, INC.,

Defendant/Counterclaim
Plaintiff.

Case No. 1:22-cv-10470-ADB

UNOPPOSED MOTION FOR EXTENSION OF CASE DEADLINES

Defendant/Counterclaim Plaintiff Kia America, Inc. (“Defendant”) moves without opposition by Plaintiff/Counterclaim Defendant DMO Norwood LLC (“Plaintiff”) to extend the current Scheduling Order deadlines such that the first upcoming deadline (for submission of expert reports) would be extended by eight weeks from the date the Court issues a decision on Defendant’s May 17, 2023 Motion to Compel (the “Motion to Compel”), and all subsequent deadlines would be extended while maintaining the same intervals between deadlines set forth in the Scheduling Order. As good cause for this motion, Defendant states as follows:

On May 17, 2023, Defendant filed the Motion to Compel, asking the Court to compel DMO Norwood to produce floorplan and inventory records. Defendant believes these records are critical to the preparation of its expert report and its claims and defenses (Dkt. No. 98). Plaintiff disagrees and has objected to their production (Dkt. 100). Both sides agree, however, that they need to know the Court’s decision on the Motion to Compel before taking the depositions of party witnesses and conducting expert discovery.

In addition, Defendant needs additional time because the two attorneys who had the principal responsibility for representing Defendant in this case, James McGovern and Alan Mendelsohn, have withdrawn from Hogan Lovells US LLP and have filed notices of withdrawal from this case (Dkt. 102,103). Accordingly, Defendant needs to bring in counsel to replace Messrs. McGovern and Mendelsohn, and new counsel will need some time to get up to speed on this case.

WHEREFORE, Defendant requests, without opposition by Plaintiff, that the Court grant this Motion to Extend, and allow the parties to submit a revised Scheduling Order consistent with this Motion within three days after the ruling on the Motion to Compel. .

August 17, 2023

Respectfully submitted,

/s/ John J. Sullivan

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I, Kayla H. Ghantous, hereby certify that on August 17, 2023, I filed the foregoing document through the Court's ECF system, which will cause copies of the documents to be sent electronically to the registered participants as identified on the Notice of Electronic Filing, including Plaintiff's counsel.

/s/ Kayla H. Ghantous

Kayla H. Ghantous